



Media Release

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COUNTY ENDS RELATIONSHIP WITH MEDICAID VENDOR FOLLOWING INVESTIGATION

***Center for Disability Rights Removed as Vendor; Investigation Uncovers
Pervasive Failures in Client Care***

The Monroe County Department of Human Services today terminated its business relationship with the Center for Disability Rights, Inc. (CDR) following an investigation of their participation in the Consumer Directed Personal Assistance Program (CDPAP) that found widespread lapses in client care.

CDR is primarily known as an advocacy group for people with disabilities. In 1998, CDR decided to become a municipal vendor and entered into an agreement with the County to act as one of several service providers for the County's Consumer Directed Personal Assistance Program (CDPAP). The CDPAP is a Medicaid program that provides services to the chronically ill or individuals with physical disabilities who have a medical need for help with activities of daily living or skilled nursing services. Services can include any of the responsibilities provided by a personal care aide (home attendant), home health aide, or nurse.

As a service vendor, CDR had an obligation and the responsibility to maintain the highest degree of patient care and fiscal management for clients who were otherwise unable to care for themselves. Results of an investigation conducted by the County have found CDR to be highly negligent in their ability to monitor care for the clients in their charge. A report from County Human Services Commissioner Kelly Reed is attached to this release and describes in detail many of the findings that forced the County to remove CDR as an approved vendor for the program. Some examples include:

- An extremely unsettling complaint involving a quadriplegic client living with Multiple Sclerosis. This client reported that she was often left unattended, with the knowledge of CDR. During a recent home visit conducted by a Physical Therapist from Home Care of Rochester, the client was found alone, as the CDR attendant had failed to arrive for coverage at all that day. When the client was found, the puffer apparatus that assists her in moving her wheelchair had fallen out of her mouth (meaning she was not able to operate her chair or call anyone for help), and her urine bag was overflowing. The client was hospitalized as a result of this incident. She is now in nursing home care – where it is expected she will be forced to remain.

- A client living with disabilities requiring 24-hour service cannot write and has a Self Directing Other (SDO) who schedules her aide service for her. Client fears for her safety because the SDO schedules aides without the approval of the client. On one occasion, an aide came to the client's home intoxicated and fell asleep on the client's couch. The SDO threatened to put the client in a nursing home if the client complained.

A letter has been sent to clients who are active in the CDPAP notifying them of the County's decision to remove CDR as a vendor for this program. Monroe County currently contracts with five other service vendors for CDPAP and clients will see no interruption in service during this transition.

"These are just some examples of unannounced home visits to CDR clients conducted by DHS investigators. All visits demonstrated an obvious lack of professionalism, care, concern, and diligence on the part of CDR, and an inability to perform the necessary obligations to ensure client safety as a vendor for Monroe County," said Commissioner Kelly Reed. "Based on these investigations, attorneys from the Monroe County Law Department have deemed 4 accounts – at the very least – serious enough to terminate CDR from operating in a business capacity for Monroe County."

The New York State Attorney General's Office is currently investigating CDR for fraud and abuse of the Medicaid program, and is prosecuting aides working under the auspices of CDR in Monroe and Ontario counties.

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